THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :24342 of 2007

DATED:16-11-2007

BETWEEN:

Dr.A.V.Srinivasa Rao.

..... PETITIONER

AND

The Nalgonda Municipality (Grade-I),
Rep., by its Commissioner,
Nalgonda & 2 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned standing council appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the inaction of the respondents 1 and 2 in taking appropriate action on the representations, dated 30-06-2007, 21-09-2007, 04-10-2007 and 25-10-2007 submitted by the petitioner as well as legal notice, dated 24-10-2007, sent by the petitioner, as illegal, and arbitrary.

3. It is the case of the petitioner that he is the owner of house No.6-2-1492 situated at Samadhannagar, V.T.Road, Ramagiri, Nalgonda and on the southern side of the house, the house of the 3rd respondent bearing No.6-2-1491 is situated but the 3rd respondent is making unauthorized constructions without leaving any set back and accordingly he has made a representation before the 1st respondent-Commissioner, Nalgonda on 30-06-2007.

4. I am not inclined to express any opinion whether the 3rd respondent obtained permission and whether he is making any illegal constructions unauthorizedly, but however, when a representation has been filed it is just and proper for the 1st respondent to consider and dispose of the said representation.

5. Accordingly, Writ Petition is disposed of directing the 1st

respondent to consider and dispose of the representation, dated 30-06-2007, made by the petitioner after giving reasonable opportunity to the petitioner as well as the 3rd respondent in accordance with law. No order as to costs.

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V.ESWARAIAH,J

16th November, 2007.
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